

EXHIBIT B

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ONE STOCKDUQ HOLDINGS, LLC,

Plaintiff,

v.

BECTON, DICKINSON AND COMPANY,

Defendant.

Case No. 2:12-cv-03037-JPM-tmp

JURY TRIAL DEMANDED

**DEFENDANT BECTON, DICKINSON AND COMPANY’S CONSTRUCTIONS OF THE
CLAIM TERMS IN DISPUTE AND SUPPORTING EVIDENCE**

Pursuant to Local Patent Rule 4.5(b), Defendant Becton, Dickinson and Company (“BD”) hereby provides its constructions of the claim terms in dispute and supporting evidence. In accordance with LPR 4.5(b), BD has provided its proposed constructions of all terms BD has identified, as well as its proposed constructions for all terms Plaintiff One StockDuq Holdings, LLC (“One-SD”) has identified. However, BD does not think that the terms identified by One-SD should be construed by the Court.

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
22, 31	One SD & BD	“needle attachment body”	A body to which the needle is attached that provides a protective housing for the needle after it is retracted	<p>Intrinsic Evidence</p> <p>‘914 patent, col. 3:67-4:11 <i>See also</i> ‘914 patent, col. 1:45-50, col. 2:12-21, col. 2:43-44, col. 3:3-11; col. 3:22-29, col. 3:33-35, col. 3:60-65, col. 4:55-65, col. 7:54-57, col. 8:21-26, Figs. 3-4, 9-10, 12</p> <p>Office Action dated Oct. 30, 1996 at 2, 5 Amendment dated Feb. 21, 1997 at 5-7, 13, 15 Office Action dated May 12, 1997 at 2 Interview Summary dated June 2, 1997</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 4:30-35, col. 4:63-col. 5:42, Figs. 1-6 U.S. Patent No. 4,417,886 (Frankhouser), col. 3:24-28, Figs. 1-3</p> <p>Extrinsic Evidence</p> <p>J.Stocking email correspondence, ONE-SD004038-4042</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
22, 31	BD	“connected to said hub”	Joined to the catheter hub	<p>Intrinsic Evidence</p> <p>‘914 patent, col. 3:50-55, col. 6:63-67, Figs. 3-4, 9-10 <i>See also</i> ‘914 patent, col. 2:43-44, col. 3:60-65, col. 7:31-32</p> <p>Office Action dated Oct. 30, 1996 at 2, 5 Amendment dated Feb. 21, 1997 at 5-7, 13,15 Office Action dated May 12, 1997 at 2 Interview Summary dated June 2, 1997</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 4:30-35, col. 7:62-8:2, Figs. 1-6 U.S. Patent No. 4,447,235 (Clarke), col. 2:67-3:3, Figs. 1-6 U.S. Patent No. 4,417,886 (Frankhouser), col. 3:24-28, Figs. 1-3</p> <p>Extrinsic Evidence</p> <p>The American Heritage Dictionary 399 (3d ed. 1996)</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
22	BD	“flexible resilient diaphragm...for preventing the flow of a liquid”	a flexible, resilient seal that prevents the flow of a liquid	<p>Intrinsic Evidence ’914 patent, col. 4:24-30, col. 6:67-7:4, Figs. 3-5, 9-10 <i>See also</i> ’914 patent, col. 2:12-15, col. 2:38-43, col. 4:30-45, col. 8:10-18</p> <p>Office Action dated Oct. 30, 1996 at 2, 3, 5 Amendment dated Feb. 21, 1997 at 5-7, 11-13, 15</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 7:14-20, col. 8:44-62, Fig. 4, 6C U.S. Patent No. 5,013,304 (Russell), col. 5:7-24, Figs. 5, 7 U.S. Patent No. 4,842,591 (Luther), col. 1:21-24, col. 2:18-23, Figs. 1-3</p>
22	BD	“diaphragm attached between said body and a proximal end of said hub”	a seal that is held in place in a space that separates the needle attachment body and a proximal end of the catheter hub	<p>Intrinsic Evidence ’914 patent, col. 4:35-45, Figs. 3-5, 9-10 <i>See also</i> ’914 patent, col. 4:24-30, col. 6:67-7:4, col. 8:10-18</p> <p>Office Action dated Oct. 30, 1996 at 2, 5 Amendment dated Feb. 21, 1997 at 5-6, 11-13, 15</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 7:14-20, col. 8:44-62, Fig. 4, 6C</p> <p>Extrinsic Evidence The American Heritage Dictionary 179-80 (3d ed. 1996)</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
22	BD	“at least one fenestration on a central portion thereof which communicates with a cannula of said introducer needle and...with said hub lumen”	one or more openings located closer to the center than to the ends of the needle that provides fluid flow from the needle cannula, through the opening(s) and into the hub when the openings are aligned with the hub	<p>Intrinsic Evidence '914 patent, col. 3:67-4:6, col. 5:34-40, col. 8:37-41, Figs. 1-6, 9 <i>See also</i> '914 patent, col. 2:52-56, col. 5:26-30, col. 7:8-14</p> <p>Amendment dated Feb. 21, 1997 at 5-6, 13, 15 Office Action dated May 12, 1997 at 2</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 6:56-7:13, col. 8:12, col. 8:63-68, col. 10:25-30, Figs. 6A-D, 8B U.S. Patent No. 4,525,157 (Vaillancourt), col. 6:35-39, col. 7:20-30, col. 4:28-30, Figs. 2-4,</p> <p>Extrinsic Evidence U.S. Pub. No. 2005-0015059, par. [0023], Fig. 1 J.Stocking email correspondence, ONE-SD004038-4042</p>
31	BD	“diaphragm being attached to said hub to seal a proximal end of said hub lumen in a liquid tight manner”	a seal that is attached at the proximal end (closer to the clinician) of the catheter hub to prevent the flow of all liquid past the seal	<p>Intrinsic Evidence '914 patent, col. 4:24-30, col. 4:35-45, col. 6:67-7:4, Figs. 3-5, 9-10 <i>See also</i> '914 patent, col. 2:38-43, col. 4:30-35, col. 8:10-18</p> <p>Office Action dated Oct. 30, 1996 at 2 Amendment dated Feb. 21, 1997 at 6-7, 11-12</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 7:14-20, col. 8:44-62, Fig. 4, 6C</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
31	BD	“flexible, resilient diaphragm...for preventing a liquid...from flowing through said diaphragm beyond said hub”	a flexible, resilient seal that prevents the flow of liquid out of the catheter hub	<p>Intrinsic Evidence ’914 patent, col. 4:24-30, col. 6:67-7:4, Figs. 3-5, 9-10 <i>See also</i> ’914 patent, col. 2:12-15, col. 2:38-43, col.4:30-35, col. 8:10-18</p> <p>Office Action dated Oct. 30, 1996 at 2-3 Amendment dated Feb. 21, 1997 at 5-7, 11-13, 15</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 7:14-20, col. 8:44-62, Fig. 4, 6C U.S. Patent No. 5,013,304 (Russell), col. 5:7-24, Figs. 5, 7 U.S. Patent No. 4,842,591 (Luther), col. 1:21-24, col. 2:18-23, Figs. 1-3</p>
31	BD	“a liquid which has been introduced into said hub lumen from said catheter, external to a needle which may be penetrating said diaphragm and projecting into said hub lumen”	there is liquid in the catheter hub outside of the needle when the needle is penetrating the seal	<p>Intrinsic Evidence ’914 patent col. 5:34-40 <i>See also</i> ’914 patent, col. 5:55-58, col. 8:10-18, col. 8:37-41</p> <p>Office Action dated Oct. 30, 1996 at 2 Amendment dated Feb. 21, 1997 at 6-7, 11-13, 15</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
31	BD	“at least one fenestration on a central portion thereof which communicates with a cannula of said introducer needle and with said hub lumen”	one or more openings located closer to the center than to the ends of the needle that provides fluid flow from the needle cannula, through the opening(s) and into the hub when the openings are aligned with the hub	<p>Intrinsic Evidence</p> <p>'914 patent, col. 3:67-4:6, col. 5:34-40, col. 8:37-41, Figs. 1-6, 9-10 <i>See also</i> '914 patent, col. 2:52-56, col. 5:26-30, col. 7:8-14</p> <p>Office Action dated Oct. 30, 1996 at 2 Amendment dated Feb. 21, 1997 at 6-7, 11-13, 15 Office Action dated May 12, 1997 at 2</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 6:56-7:13, col. 8:12, col. 8:63-68, col. 10:25-30, Figs. 6A-D, 8B U.S. Patent No. 4,525,157 (Vaillancourt), col. 4:28-30, col. 6:35-39, col. 7:20-30, Figs. 2-4</p> <p>Extrinsic Evidence</p> <p>U.S. Pub. No. 2005-0015059, par. [0023], Fig. 1 J.Stocking email correspondence, ONE-SD004038-4042</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
22	One SD	“Flexible resilient diaphragm attached between said body and a proximal end of said hub proximal to said side access port for preventing the flow of a liquid through said hub lumen past said side access port and through the proximal end of said hub external to said introducer needle cannula”	a flexible, resilient seal that is held in place in a space that separates the needle attachment body and a proximal end (closer to the clinician) of the catheter hub and is proximal to the side access port, and that prevents the flow of a liquid that is external to a needle when the needle is penetrating the seal from flowing past the proximal end of the catheter hub	<p>Intrinsic Evidence</p> <p>'914 patent, col. 4:24-30, 5:34-40, col. 6:67-7:4, Figs. 3-5, 9-10 <i>See also</i> '914 patent, col. 2:12-15, col. 2:38-43, col. 4:30-45, col. 8:10-18</p> <p>Office Action dated Oct. 30, 1996 at 1-3, 5 Amendment dated Feb. 21, 1997 at 5-7, 11-13, 15</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 7:14-20, col. 8:44-62, Fig. 4, 6c U.S. Patent No. 5,013,304 (Russell), col. 5:7-24, Figs. 5, 7 U.S. Patent No. 4,842,591 (Luther), col. 1:21-24, col. 2:18-23, Figs. 1-3</p> <p>Extrinsic Evidence</p> <p>The American Heritage Dictionary 179-80 (3d ed. 1996)</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
22	One SD	“At least one fenestration on a central portion thereof which communicates with a cannula of said introducer needle and, when said introducer needle is in said operative position, with said hub lumen”	one or more openings located closer to the center than to the ends of the needle that provides fluid flow from the needle cannula, through the opening(s) and into the hub when the openings are aligned with the hub in an operative position	<p>Intrinsic Evidence</p> <p>'914 patent, col. 3:67-4:6, col. 5:34-40, col. 8:37-41, Figs. 1-6, 9-10 <i>See also</i> '914 patent, col. 2:52-56, col. 5:26-30, col. 7:8-14</p> <p>Office Action dated Oct. 30, 1996 at 2 Amendment dated Feb. 21, 1997 at 5-7, 11-13, 15 Office Action dated May 12, 1997 at 2</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 6:56-7:13, col. 8:12, col. 8:63-68, col. 10:25-30, Figs. 6A-D, 8B U.S. Patent No. 4,525,157 (Vaillancourt), col. 4:28-30, col. 6:35-39, col. 7:20-30, Figs. 2-4</p> <p>Extrinsic Evidence</p> <p>U.S. Pub. No. 2005-0015059, par. [0023], Fig. 1 J.Stocking email correspondence, ONE-SD004038-4042</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
31	One SD	“flexible, resilient diaphragm which can be penetrated by a hypodermic needle, such as a catheter introducer needle, said diaphragm being attached to said hub to seal a proximal end of said hub lumen in a liquid tight manner for preventing a liquid which has been introduced into said hub lumen from said catheter, external to a needle which may be penetrating said diaphragm and projecting into said hub lumen, from flowing through said diaphragm beyond said hub”	a flexible, resilient seal that can be penetrated by a hypodermic needle, such as a catheter introducer needle, the seal being attached at the proximal end (closer to the clinician) of the catheter hub to prevent all liquid in the catheter hub outside of the needle when the needle is penetrating the seal from flowing past the seal	<p>Intrinsic Evidence</p> <p>'914 patent, col. 4:24-30, col. 5:34-40, col. 6:67-7:4, Figs. 3-5, 9-10</p> <p><i>See also</i> '914 patent, col. 2:12-15, col. 2:22-25, col. 2:38-43, col. 4:30-45, col. 8:10-18</p> <p>Office Action dated Oct. 30, 1996 at 2-3, 5</p> <p>Amendment dated Feb. 21, 1997 at 5-7, 11-13, 15</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 7:14-20, col. 8:44-62, Fig. 4, 6C</p> <p>U.S. Patent No. 5,013,304 (Russell), col. 5:7-24, Figs. 5, 7</p> <p>U.S. Patent No. 4,842,591 (Luther), col. 1:21-24, col. 2:18-23, Figs. 1-3</p>

Claim	Party	Claim Term	Proposed Construction	Supporting intrinsic and extrinsic evidence
31	One SD	“At least one fenestration on a central portion thereof which communicates with a cannula of said introducer needle and with said hub lumen and which is positioned distally of said diaphragm when said introducer needle is disposed in said operative position”	one or more openings located closer to the center than to the ends of the needle that provides fluid flow from the needle cannula, through the opening(s) and into the hub when the openings are aligned with the hub and located distally of the seal when the introducer needle is disposed in the operative position	<p>Intrinsic Evidence</p> <p>'914 patent, col. 3:67-4:6, col. 5:34-40, col. 8:37-41, Figs. 1-6, 9-10 <i>See also</i> '914 patent, col. 2:52-56, col. 5:26-30, col. 7:8-14</p> <p>Office Action dated Oct. 30, 1996 at 2 Amendment dated Feb. 21, 1997 at 5-7, 11-13, 15 Office Action dated May 12, 1997 at 2</p> <p>U.S. Patent No. 5,246,426 (Lewis), col. 6:56-7:13, col. 8:12, col. 8:63-68, col. 10:25-30, Figs. 6A-D, 8B U.S. Patent No. 4,525,157 (Vaillancourt), col. 4:28-30, col. 6:35-39, col. 7:20-30, Figs. 2-4</p> <p>Extrinsic Evidence</p> <p>U.S. Pub. No. 2005-0015059, par. [0023], Fig. 1 J.Stocking email correspondence, ONE-SD004038-4042</p>